

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

September 28, 2016  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Mayor Greg Stanton, Phoenix, Chair	Mayor Christian Price, City of Maricopa
Mayor Jackie Meck, Buckeye, Vice Chair	Supervisor Denny Barney, Maricopa County
Vice Mayor Robin Barker, Apache Junction	Mayor John Giles, Mesa
# Mayor Kenneth Weise, Avondale	* Mayor Michael Collins, Paradise Valley
Councilmember Mike Farrar, Carefree	* Mayor Cathy Carlat, Peoria
* Councilmember Dick Esser, Cave Creek	# Supervisor Todd House, Pinal County
Mayor Jay Tibshraeny, Chandler	Mayor Gail Barney, Queen Creek
* Mayor Lana Mook, El Mirage	* President Delbert Ray, Salt River
Mayor Tom Rankin, Florence	Pima-Maricopa Indian Community
* President Bernadine Burnette, Fort	Mayor W.J. "Jim" Lane, Scottsdale
McDowell Yavapai Nation	Mayor Sharon Wolcott, Surprise
Mayor Linda Kavanagh, Fountain Hills	# Mayor Mark Mitchell, Tempe
* Mayor Chuck Turner, Gila Bend	* Mayor Adolfo Gamez, Tolleson
* Governor Stephen Roe Lewis, Gila River	* Mayor John Cook, Wickenburg
Indian Community	Mayor Michael LeVault, Youngtown
Mayor Jenn Daniels, Gilbert	# Mr. Roc Arnett, Citizens Transportation
* Mayor Jerry Weiers, Glendale	Oversight Committee
Mayor Georgia Lord, Goodyear	* Mr. Joseph La Rue, State Transportation Board
* Mayor Angie Perez, Guadalupe	Vice Mayor Jack Sellers, State
# Mayor Thomas Schoaf, Litchfield Park	Transportation Board

\* Those members neither present nor represented by proxy.  
# Attended by telephone conference call.                      + Attended by videoconference

1. **Call to Order**

The meeting of the MAG Regional Council was called to order by Chair Greg Stanton, Phoenix, at 11:37 a.m.

2. **Pledge of Allegiance**

Mayor Sharon Wolcott led the Pledge of Allegiance.

Mr. Roc Arnett, Supervisor Todd House, Mayor Mark Mitchell, Mayor Thomas Schoaf, and Mayor Kenneth Weise joined the meeting by teleconference.

### 3. Call to the Audience

Chair Stanton noted that Regional Council members are not allowed to discuss or take action on items not scheduled on the agenda.

Chair Stanton recognized public comment from Ms. Dianne Barker, who said she wanted Chair Stanton to make this citizens appreciation day. She noted that citizens make contributions. Ms. Barker stated that the open meeting law says that members may respond to criticism, ask staff to review an item or ask that an item be placed on a future agenda. Ms. Barker stated that she was not a lawyer nor an anarchist and she thought her teacher taught her to participate. Ms. Barker said that she was told the air quality MOU is still valid. She noted that this is a nonattainment area. Ms. Barker stated that MAG is supposed to work on voluntary no-drive days with the County. She said she spoke to the ombudsman about this, but he is new and did not seem to know about it. Ms. Barker stated that in 2007, the Legislature passed SB 1552, which has to do with Mr. John Rusinek's problem. She stated that the City of Phoenix has no ordinance. The County has not handled this under state law. Until we can get agencies to follow the law we will not have clean air. Chair Stanton thanked Ms. Barker.

Chair Stanton recognized public comment from Mr. John Rusinek, who referenced a letter received from the City of Phoenix attorney that said the lot next door was 3,000 square feet, but the lot is 6,177 square feet. Mr. Rusinek stated that the owner of the lot next door owns 17 properties in the city and has more pull than Mr. Rusinek. He said he has been trying for years to get someone to address his dust problem. Mr. Rusinek stated that parking and driving on non-dustproofed surfaces occur on the lot next door. He stated that the driveway next door was dustproofed incorrectly three times. They used soil shield. They laid gravel three times and three times the wrong size gravel was used. He said that they used one-inch and they were supposed to use no smaller than one-quarter inch and no larger than three-quarter inch. Then they took up the gravel and put down one-half inch gravel. The gravel company sent a letter to the City that the gravel can only be laid one and one-half inches thick, but they laid it three inches thick. Mr. Rusinek wondered when it was going to be done right. He said that he thought the owner and the City should follow the law and ensure it is done correctly. Chair Stanton thanked Mr. Rusinek.

### 4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. Mr. Smith reported that the September 12, 2016, the Ninth Circuit Court issued its opinion on the PM-10 lawsuit. The Court agreed with MAG on exceptional events and that the Five Percent Plan did not need to be updated. He noted that the cost to document the exceptional events was \$500,000. Mr. Smith stated that contingency measures have been remanded to the Environmental Protection Agency (EPA) for further consideration. He added that the Fifth Circuit Court disagrees with the Ninth Circuit Court on this.

Mr. Smith stated that the first phase of construction of the South Mountain Freeway at the Pecos Stack began on September 19, 2016.

Mr. Smith stated that Congressional letters of support for extending the zone of the Border Crossing Card have been sent to the Office of Homeland Security. He added that the letter to Representative Grijalva appears to indicate that an electronic I-94 strategy is being pursued by Homeland Security. Mr. Smith stated that the end of the administration is nearing, and a conference call on the extension of the Border Crossing Card zone has been scheduled.

Mr. Smith noted that federal regulations state that a written agreement must be established between Metropolitan Planning Organizations (MPO)s that extend into an adjacent Metropolitan Planning Area (MPA) to identify areas of coordination and the division of transportation planning and air quality responsibilities between the parties. He said that the agreement, between MAG, the Arizona Department of Environmental Quality, the Arizona Department of Transportation, and the Sun Corridor MPO, was approved by the MAG Regional Council in August and was signed on September 8, 2016.

Mr. Smith stated that MAG's modeling manager, Mr. Vladimir Livshits, recently returned from a vacation in Israel, where he met with staff at MAG's counterpart. Mr. Livshits reported that the agency has tremendous respect for MAG's transportation modeling program. While he was visiting, Mr. Livshits met with the Mayor and City Manager of Jerusalem.

Chair Stanton thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Chair Stanton noted that agenda items #5A, #5B, #5C, #5D, #5E, and #5F were on the Consent Agenda. He noted that for agenda item #5D, on September 21, 2016, the Transportation Policy Committee recommended acceptance of the FY 2017 MAG Early Phase Public Input Opportunity. For agenda item #5F, on September 26, 2016, the Maricopa Regional Continuum of Care Board recommended MAG submit an application to HUD to become one of the ten Homeless Youth Demonstration Project Communities.

Chair Stanton asked if members had questions or requests for a presentation on any of the Consent Agenda items.

None were noted.

Mayor Sharon Wolcott moved to approve the Consent Agenda items #5A, #5B, #5C, #5D, #5E, and #5F. Mayor Gail Barney seconded.

Chair Stanton recognized public comment from Ms. Dianne Barker, who indicated she would speak on the minutes and the Early Phase Public Input Opportunity. She noted that the Early Phase covers a lot. Ms. Barker requested a correction to the minutes that she was at the transfer point when the bus came but was left behind. She commented that they did not care about the customer and she wondered where was the customer service. Ms. Barker stated that people need to commit to no-drive days. She said that transit makes you healthier. Last month, \$300,000 was given to road safety projects due to accidents and deaths at intersections. She said that transportation projects need to be looked at for safety and air quality and they are made exempt. Ms. Barker stated that the liability is on local jurisdictions for

accidents. Per state law, there is immunity for ADOT for implementing light rail. Chair Stanton thanked Ms. Barker.

With no further discussion, the vote on the motion passed unanimously.

5A. Approval of the August 31, 2016, Meeting Minutes

The MAG Regional Council, by consent, approved the August 31, 2016, meeting minutes.

5B. MAG FY 2018 PSAP Annual Element/Funding Request and FY 2018-2022 Equipment Program

The MAG Regional Council, by consent, approved the MAG FY 2018 Public Safety Answering Point (PSAP) Annual Element/Funding Request and FY 2018-2022 Equipment Program. Each year, the MAG PSAP Managers submit inventory and upgrade requests that are used to develop a five-year equipment program that forecasts future 9-1-1 equipment needs of the region and enables MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). The ADOA Order of Adoption stipulates allowable funding under the Emergency Telecommunications Services Revolving Fund. On April 5, 2016, the MAG PSAP Managers were requested to submit their equipment requests for Fiscal Year (FY) 2018-2022 by July 15, 2016. The MAG Fiscal Year (FY) 2018 PSAP Annual Element/Funding Request and FY 2018-2022 Equipment Program were recommended for approval on August 11, 2016, by the MAG PSAP Managers Group, on August 25, 2016, by the MAG 9-1-1 Oversight Team, and on September 14, 2016, by the MAG Management Committee.

5C. Appointments of the MAG Economic Development Committee Business Member Positions

The MAG Regional Council, by consent, approved the appointments of the Economic Development Committee (EDC) business member positions. On May 27, 2015, the MAG Regional Council approved increasing the composition of the EDC to include 15 business member positions, representing region-wide business interests, that have two-year terms with possible reappointment by recommendation of the Executive Committee and approval of the MAG Regional Council. The EDC business member positions are up for appointment/reappointment. On August 5, 2016, a memorandum was sent to the Economic Development Committee business members soliciting letters of interest for the business member positions on the EDC. On September 19, 2016, the Executive Committee recommended approval of the EDC business member positions.

5D. FY 2017 MAG Early Phase Public Input Opportunity

The MAG Regional Council, by consent, accepted the Draft Fiscal Year (FY) 2017 MAG Early Phase Public Input Opportunity Report. To ensure public participation in the development of transportation plans and programs, MAG conducts a public input process that includes four-phases: Early Phase, Mid-Phase, Final Phase and Continuous Involvement. MAG has completed the public involvement process for the FY 2017 Early Phase Input Opportunity. MAG conducted the Early Phase from August 1-31, 2016. Input opportunities included an open house held on August 11, 2016, and a Stakeholders Agency meeting on August 22, 2016. Input is used in the development of the Draft FY 2018-2028 MAG Transportation Improvement Program and the Draft 2040 MAG Regional Transportation Plan. The Early Phase Input Opportunity Report summarizes comments received during the phase, so that it may be

considered by policymakers prior to action. The Report was recommended for acceptance on September 14, 2016, by the MAG Management Committee and on September 21, 2016, by the Transportation Policy Committee.

5E. FY 2017 Road Safety Assessments and Project Assessments at Intersections and Corridors

The MAG Regional Council, by consent, approved the list of eight projects for performing seven Road Safety Assessments and developing one Project Assessment, to be completed with the available funding in FY 2017. The Fiscal Year (FY) 2017 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2016, includes a total of \$300,000 in MAG planning funds for performing Road Safety Assessments (RSA)s and Project Assessments (PA)s. Each year, nearly 19,000 persons are killed or injured in intersection crashes across the region. The MAG Transportation Safety Committee has recommended RSAs and PAs as a regional road safety initiative to help identify and address safety issues at high crash risk intersections. The RSAs involve site investigations that result in a report with a list of recommendations for the local agency. The PA is the next logical step following an RSA, and results in a road safety improvement project that is designed up to 15 percent completion. Forty-four RSAs and five PAs have been completed successfully by MAG. A Working Group of the Transportation Safety Committee conducted extensive analysis of crash data to identify potential RSA and PA projects for FY 2017. The attached list of FY 2017 RSA and PA projects was recommended for approval by the Transportation Safety Committee on July 26, 2016, and by the MAG Management Committee on September 14, 2016. These projects will be assigned to qualified consulting firms under contract with MAG to provide on-call consulting services.

5F. Homeless Youth Demonstration Program

The MAG Regional Council, by consent, approved MAG submitting a Homeless Youth Demonstration Program funding application to the U.S. Department of Housing and Urban Development (HUD) on behalf of the Continuum of Care. The U.S. Department of Housing and Urban Development (HUD) has issued a Notice of Funding Availability (NOFA) for a Youth Homelessness Demonstration Program (YHDP) to develop and execute a coordinated community approach to preventing and ending youth homelessness. HUD will select up to ten communities to participate in the YHDP. If chosen, communities would be eligible to apply for \$1 million to \$15 million to address youth homelessness. On September 26, 2016, the Maricopa Regional Continuum of Care Board recommended MAG submit an application to HUD to become one of the ten Homeless Youth Demonstration Project Communities.

6. Domestic Violence Awareness Month

Vice Mayor Robin Barker thanked the MAG Regional Council for their continued support of efforts taking place within the region to reach the goal of ending domestic violence. She noted that 107 people died in Arizona last year in domestic violence related incidents. This is equivalent to one death every three days. Vice Mayor Barker stated that 40 percent of the population – one in every four females and one in seven males – will be injured in domestic violence situations in their lifetimes. As a region, we need to continue to raise awareness.

Vice Mayor Barker stated that October is Domestic Violence Awareness Month. In support, MAG is partnering with the City of Phoenix to host a press conference on September 30, 2016. Vice Mayor Barker thanked Chair Stanton for this collaboration. She stated that the theme of the press conference will be technology safety, a new area we did not think about ten years ago. Vice Mayor Barker stated that they will be giving demonstrations and updates on local and regional efforts.

Vice Mayor Barker encouraged members to have domestic violence awareness events during the month of October. She urged participation in lighting City Halls purple, in educating the citizens and ending domestic violence. She requested that the Regional Council approve the Resolution of Support for October as Domestic Violence Awareness Month.

Chair Stanton thanked Vice Mayor Barker for her report and her leadership in ending domestic violence. He said that domestic violence is not just a law enforcement issue, and each Regional Council member could use its bully pulpit to raise awareness. Chair Stanton stated that lighting City Halls, especially in a coordinated way, could raise interest in the issue. He noted that the Governor is lighting the State Capitol building purple one night in October.

Mayor LeVault moved approval and signing of the Resolution of Support for Domestic Violence Awareness Month. Councilmember Michael Farrar seconded.

Before a vote was taken, Chair Stanton asked how many cities had plans for purple lighting.

Mr. Dennis Smith stated that the City of Maricopa Police Chief reported last month that a large percentage of aggravated assault cases in his jurisdiction are domestic violence related. He remarked that a solution to ending domestic violence is needed; many times the penalty is just a revolving door.

Chair Stanton recalled his ride-along with Phoenix Police in Maryvale the week before. He noted that the calls consisted of one domestic violence call after another.

Chair Stanton recognized public comment from Mr. Marvin Rochelle, who stated that he was a victim of domestic violence because his daughter committed suicide after being a domestic violence victim. He said he does his best to care for the three young children she left behind. Mr. Rochelle stated that he tried to get help many times, taking her to Sojourner Center. He said that we are missing the boat; we need to get more proactive and try to get victims into counseling to handle the situation better than committing suicide. Mr. Rochelle prayed that everything that can be done, will be done, to prevent domestic violence. He volunteered to help in any way he could.

Chair Stanton thanked Mr. Rochelle for sharing this powerful information and for taking care of the three children under tragic circumstances.

Mayor Christian Price noted the City of Maricopa experienced a deadly domestic violence situation a couple of days prior and the perpetrator was a Border Patrol agent. He stated that domestic violence is pervasive and most people think it will not happen to them. Mayor Price stated that this was a costly situation to numerous agencies in more ways than one.

Chair Stanton stated that the City of Phoenix budget now includes a mental health counselor for the Phoenix Police Department to get them counseling if they need it.

With no further discussion, the vote on the motion passed unanimously.

The Regional Council, who wore purple in commemoration of October as Domestic Violence Awareness Month, gathered for a group photo with the just approved Resolution of Support.

Chair Stanton stated that if jurisdictions will be lighting their City Hall or other buildings purple, MAG could try to coordinate the date and publicize it on social media.

Ms. Amy Robinson, MAG staff, noted that so far, 15 jurisdictions that will be lighting their municipal buildings have been identified, but they are not all taking place on the same day. She explained that in some cases, it was too late to coordinate the date because some press notices had already been sent out. However, they are encouraging municipalities that are lighting their buildings to light them for the duration of October. Ms. Robinson stated that MAG will be sending social media messages for the dates when cities will be illuminated purple.

Chair Stanton stated that any city facility, such as a library, could be illuminated purple.

#### 7. Discussion of the CenturyLink Proposal for 9-1-1 Managed Services

Mr. Nathan Pryor, MAG staff, and Ms. Liz Graeber, Administrator for the MAG 9-1-1 system, reported on the proposal by CenturyLink for 9-1-1 Managed Services. Mr. Pryor stated that in late 2014, CenturyLink submitted a proposal for managed services for 9-1-1 in coordination with the Arizona Department of Administration (ADOA), which has oversight of the state 9-1-1 system.

Mr. Pryor stated that MAG then launched a Statement of Qualifications process to examine the CenturyLink proposal. He noted that two vendors submitted statements of qualifications. In April 2015, a vendor was identified to conduct the study, but CenturyLink withdrew its proposal to refine it.

Mr. Pryor stated that in spring 2016, staff became aware that the CenturyLink proposal was returning. On June 21, 2016, CenturyLink presented an overview of the managed services proposal at a joint meeting of the MAG Public Safety Answering Point (PSAP) Managers Group and the MAG 9-1-1 Oversight Team.

Mr. Pryor stated that on July 25, 2016, a memorandum was sent with a message that the MAG 9-1-1 system has a regional process going back to 1985. He stated that there were two committee meetings during August: the August 10, 2016, PSAP Managers Group meeting and the August 25, 2016, Oversight Team meeting. Mr. Pryor noted that both committees took action to recommend addressing the proposal for managed services as a region and that the Management Committee form a study committee to review the technical, financial and policy implications of the proposal. Mr. Pryor stated that on September 14, 2016, the MAG Management Committee formed a Study Committee for 9-1-1 Managed Services. The Study Committee will meet in October. Mr. Pryor stated that the Study Committee will develop a comparative report and will report back to the Regional Council when the report is complete.

Mr. Pryor stated that the MAG 9-1-1 process works similarly to the MAG transportation process – as a region. He said that projects are collected for the budget, go through the MAG committee process, and then submitted to the State for funding. Mr. Pryor stated that the CenturyLink managed services proposal is trying to address statewide funding issues, technology changes, decaying infrastructure, and growing populations.

Mr. Pryor pointed out on a graph chart how the Arizona 9-1-1 excise tax collection decreased from 37 cents per phone line in 2003, to 28 cents per phone line in 2006, to 20 cents per phone line in 2008 forward. Mr. Pryor commented that the rationale for this was the number of phones was growing, thus the tax was also growing. Mr. Pryor said that the Arizona rate is one of the lowest in the nation. He noted that the 9-1-1 fund also was impacted by fund sweeps in the amount of \$53 million by the Legislature.

Mr. Pryor stated that collection of the excise tax in the Maricopa Region is approximately \$12.3 million per year, and collection in the balance of the state is approximately \$6.2 million. He noted that the budgeted allocation to the region is about 66 percent of the portion it contributes to the State Fund.

Mr. Pryor reviewed the Study Committee composition. The Mesa City Manager, Mr. Chris Brady, and the Glendale City Manager, Mr. Kevin Phelps, will serve as Co-Chairs. The Study Committee would also include the Chairs and Vice Chairs of the MAG 9-1-1 Oversight Team and the MAG PSAP Managers Group, the Chair of the MAG Technical Advisory Group, and police department representation.

Mr. Pryor stated that a letter from the Co-Chairs of the Study Committee to CenturyLink requesting a copy of the managed services proposal was included in the agenda packet. He said that an aspect of the proposal includes a \$2,000 per station, per month fee, to addresses the State funding issue. Mr. Pryor noted that the Regional Community Network, the fiber network in which significant regional resources have been invested and provides redundancy for the 9-1-1 network, would not be used under the CenturyLink proposal because it is not CenturyLink equipment. Mr. Pryor explained that the Regional Community Network was originally put in place for traffic management, but the Federal Highway Administration allowed the MAG region to use it as a backup for the 9-1-1 system. He stated that another issue is text-to-9-1-1, which would incur an additional charge by CenturyLink to implement, but we do not know how much.

Mr. Pryor stated that the State has been rolling out the managed services proposal in the Yuma area, Pima County, and in the northern and eastern parts of the State. He added that the Maricopa region would be the final area to be rolled out in the phased approach. Mr. Pryor noted that staff understands that a decision on managed services would be needed by the end of calendar year 2017. He noted that CenturyLink has expressed its preference to submit the managed services proposals to individual cities or towns at the PSAP level, rather than on a regional level. Mr. Pryor stated that the letter expressed to CenturyLink that the MAG 9-1-1 system has been a regional system since 1985, and requested it submit its proposal as a regional proposal and it will be vetted as a region.

Chair Stanton thanked staff for the report and asked if there were questions.

Mr. Dennis Smith requested that Mr. Pryor report on the text-to-9-1-1 lawsuit and new technology Mr. Pryor discovered on the I-Phone.

Mr. Pryor stated that there is ongoing litigation with a number of defendants, including MAG, by individuals in the speech and hearing impaired community saying their access to 9-1-1 is challenged because the MAG system does not offer text-to-9-1-1. He said responses have been filed, but no court date has been assigned. Mr. Pryor stated that the lawsuit has been a topic of discussion by the Executive Committee. He noted that the F.C.C. does not require text-to-9-1-1, but we are always looking to improve the 9-1-1 system.

Mr. Pryor explained that recently, the rollout of the new operating system for the I-Phone includes a TTY option. TTY is an electronic device used for hearing impaired communications. Mr. Pryor stated that with the new I-Phone option, a user can TTY 9-1-1. He added that they are currently looking at how broad this could be for the region. Mr. Pryor stated that not everyone has an I-Phone, but it is an option that the public needs to know about and they are researching options to see if other cell phone systems could access TTY.

Mayor Jim Lane asked if in this process, proposals were requested from other providers.

Mr. Pryor replied that the Arizona Department of Administration (ADOA) informed MAG that CenturyLink took it upon itself to make the proposal to ADOA due to fiscal constraints. In terms of what we could do as a region might be something the Study Committee might discuss because this region contributes a sizable amount of the revenue to the Emergency Telecommunications Services Revolving Fund.

Mayor Lane asked for clarification that there was no mandate by the State. Mr. Pryor replied that was correct – it was a proposal.

Mayor Sharon Wolcott stated that privatizing a service like this could present challenges. She expressed concern for funds levied on constituents being given to a private sector provider. Mayor Wolcott also expressed concern with the redundancy issue. She then pointed out there is the issue of cost protection; we could be lured into an entry level pricing system, but there is no control at the end of the five year contract. Mayor Wolcott stated that there is great concern at the end of five years we have moved to a different system and she encouraged proceeding with caution.

Mr. Pryor said yes, that is a concern. He stated that at the end of the five-year contract, if the proposal does not work out and the equipment is removed, it would need to be replaced. The issue is what the cost would be to replace the equipment.

Mr. Dennis Smith noted the past experience of Mr. Kevin Phelps, Glendale, Co-Chair of the Study Committee, on this issue in the state of Washington. Mr. Smith stated that Police and Fire Services banded together to bring forward a tax and raised the money to have a first rate 9-1-1 system. He indicated that in discussions with ADOA, they feel that due to declining revenue, going with a bare-bones 9-1-1 system and giving each PSAP \$2,000 per station, per month. Mr. Smith stated that MAG said that was not the way the MAG 9-1-1 system was put together in 1985. He said they established the tax through the Legislature and the region wanted to have the best 9-1-1 system. Mr. Smith encouraged

seeing what would be needed to bring back the bar to this level. He said that one of the city managers asked, if this is not something local governments should be doing, then what is? Mr. Smith stated that Washington County where Mr. Phelps was working was very anti-tax, but 65 percent of the voters approved the tax. Mr. Smith stated that 9-1-1 needs to be done right.

8. Proposed Changes to the MAG By-Laws

Mr. Pryor provided a report on the proposed changes to the MAG By-Laws. He stated that the first item is transit representation on the MAG Regional Council. In 2014, a federal rule that came out of the Surface Transportation Reauthorization requiring transit representation on Metropolitan Planning Organization (MPO) boards, which for MAG, means the Regional Council. Mr. Pryor noted that this issue had been discussed by the Executive Committee.

Mr. Pryor said MAG worked with the National Association of Regional Councils (NARC). Mr. Pryor stated that concern was expressed for what the rule meant. He said that the rule was removed and another comment period was provided. Mr. Pryor stated that MAG submitted comments on what is called a two-hats role: one representative who would serve as the transit representative and as a representative of a member agency. He explained that the way the original rule was written could provide an agency with more than one seat on a Board and that is the reason they sent the comment to consolidate the two roles into one seat.

Mr. Pryor said in May 2016, the rule was finalized and now provides for the two-hats option. He stated the final rule is consistent with MAG's submitted comments from 2014 that one representative be allowed to serve in two roles. Mr. Pryor explained that the City of Phoenix, as the Designated Recipient and largest contributor of transit funds in the region, could be the transit representative. If the transit representative no longer has the major investment in transit or no longer desires to serve in the capacity, the Regional Council may select another elected member of the governing body that is a provider of public transit to serve as the transit representative.

Chair Stanton stated that the By-Laws amendment means that one of the Regional Council members would wear two hats, but would have only one vote and would have the interest of transit in mind during votes. He asked members if they had questions. None were noted.

Mr. Pryor then addressed the second item – a technical change to the MAG By-Laws for the Citizens Transportation Oversight Committee (CTOC). He said that the current language saying that CTOC has oversight over the Regional Freeway System is inaccurate. Mr. Pryor stated with the passage of Proposition 400, the range of issue areas for CTOC has broadened beyond the Regional Freeway System to the larger Regional Transportation Plan, which covers modes of transportation other than freeways – bicycle, pedestrian, and transit. He noted a technical amendment to the MAG By-Laws is being requested to more accurately reflect the role of CTOC.

Mr. Pryor said that if the changes are approved by the Regional Council, MAG would need to amend its By-Laws. He said the language would be posted for a minimum of 15 days for public review and would return to the October 2016 Regional Council meeting for final approval.

Chair Stanton asked if there were any questions.

Vice Mayor Jack Sellers asked for clarification of the status of CTOC.

Mr. Dennis Smith replied that CTOC is still a functioning organization that is staffed by ADOT. He stated that the Chair is appointed by the Governor and he added that State statute provides membership for the Chair in the MAG Regional Council and Transportation Policy Committee. Mr. Smith stated that past legislation attempted to assign staffing of CTOC to MAG, but the legislation failed. Another piece of legislation last session to eliminate CTOC also failed. Mr. Smith explained that when CTOC was originally established in the 1990s, it had oversight of the Regional Freeway System only, but Proposition 400 covers many other modes and legislation says CTOC has oversight over the Regional Transportation Plan. He stated that cleanup to indicate this change was never done on the By-Laws.

Mayor Georgia Lord moved approval of amendments to the MAG By-Laws regarding transit representation to the MAG Regional Council serving as the MPO board and a technical amendment regarding the role of CTOC and to initiate the By-Laws amendment process. Councilmember Michael Farrar seconded, and the motion passed unanimously.

9. Legislative Update

No report.

10. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting were requested.

No requests were noted.

11. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

No comments were noted.

Chair Stanton stated that the next Regional Council meeting is October 26, 2016.

Adjournment

There being no further business, the meeting adjourned at 12:30 p.m.

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Chair

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Secretary